

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

Amendment No. 1 to HB2234

West
Signature of Sponsor

AMEND Senate Bill No. 2503**House Bill No. 2234***

by deleting the amendatory Section 47-18-5102 in Section 2 of the printed bill in its entirety and by substituting instead the following language:

47-18-5102. As used in this part, unless the context otherwise requires:

(1) "Building materials" means lumber, construction tools, windows, and anything else used in the building or rebuilding of property.

(2) "Consumer food item" means any article that is used or intended for use for food, drink, confection, or condiment by a person or animal.

(3) "Emergency supplies" includes, but is not limited to, water, flashlights, radios, batteries, candles, blankets, soap, diapers, temporary shelters, tape, toiletries, plywood, nails, and hammers.

(4) "Gasoline" means any fuel used to power any motor vehicle or power tool.

(5) "Goods" has the same meaning as provided in Section 47-18-103(5).

(6) "Housing" means any rental housing leased on a month-to-month term.

(7) "Medical supplies" includes, but is not limited to, prescription and nonprescription medications, bandages, gauze, isopropyl alcohol, and antibacterial products.

(8) "Person" has the same meaning as provided in Section 47-18-103(9).

Amendment No. 1 to HB2234

**West
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2503

House Bill No. 2234*

(9) "Repair or reconstruction services" means services performed by any person for repairs to residential or commercial property of any type that is damaged as a result of a disaster or terrorist attack.

(10) "Services" has the same meaning as provided in Section 47-18-103(10).

(11) "State of Emergency" means a natural or man-made disaster or emergency resulting from terrorist attack, war, strike, civil disturbance, tornado, earthquake, fire, flood, or any other natural disaster declared by the President of the United States or by the governor pursuant to Title 58, Chapter 2, Part 1.

(12) "Transportation, freight, and storage services" means any service that is performed by any company that contracts to move, store, or transport personal or business property or rents equipment for those purposes.

AND FURTHER AMEND by deleting the amendatory Section 47-18-5103 in Section 2 of the printed bill in its entirety and by substituting instead the following language:

47-18-5103. Upon the proclamation of a state of emergency and continuing until the state of emergency is terminated, it is unlawful, in any county or municipality covered by the state of emergency, for any person to charge any other person a price for any consumer food item; repair or construction services; emergency supplies; medical supplies; building materials; gasoline; transportation, freight, and storage services; or

Amendment No. 1 to HB2234

**West
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2503

House Bill No. 2234*

housing, that is grossly in excess of the price generally charged for the same or similar goods or services in the usual course of business immediately prior to the events giving rise to the state of emergency. An otherwise grossly excessive price increase shall not be unlawful if the person charging such higher price establishes by prima facie evidence that the increase was directly attributable to additional costs imposed on it by the supplier of the goods or services, or was directly attributable to additional costs for labor or materials used to provide the goods or services.

AND FURTHER AMEND by deleting subsection (a) from the amendatory Section 47-18-5104 in Section 2 of the printed bill and by substituting instead the following:

(a) Violation of any provision of this part, or any rules and regulations promulgated hereunder, constitutes an unfair or deceptive act or practice under Section 47-18-104(a); provided, that no criminal penalty shall be incurred for violation of this part. A civil action for violation of this part may be brought under Title 47, Chapter 18, Part 1.